

R156. Commerce, Occupational and Professional Licensing.

R156-3a. Architect Licensing Act Rules.

R156-3a-101. Title.

These rules are known as the "Architect Licensing Act Rules".

R156-3a-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 3a, as used in Title 58, Chapters 1 and 3a or these rules:

- (1) "ARE" means the NCARB Architectural Registration Examination.
- (2) "Committee" means the IDP Committee created in Section R156-3a-201.
- (3) "Complete and final" as used in Subsection 58-3a-603(1) means "complete construction plans" as defined in Subsection 58-3a-102(4).
- (4) "Divisions of the ARE" mean:
 - (a) pre-design (PD): satisfied by passing Division A between 1983 and 1996;
 - (b) site planning (SP): satisfied by passing both Division B- Written and Division B-Graphic between 1988 and 1996; or by passing Division B between 1983 and 1987;
 - (c) building planning (BP): satisfied by passing Division C between 1983 and 1996;
 - (d) building technology (BT): satisfied by passing Division C between 1983 and 1996;
 - (e) general structures (GS): satisfied by passing Division D/F between 1988 and 1996; or by passing both Division D and Division F between 1983 and 1987;
 - (f) lateral forces (LF): satisfied by passing Division E between 1983 and 1996;
 - (g) mechanical and electrical systems (ME): satisfied by passing Division G between 1983 and 1996;
 - (h) materials and methods (MM): satisfied by passing Division H between 1983 and 1996; and
 - (i) construction documents and services (CD): satisfied by passing Division I between 1983 and 1996.
- (5) "EESA" means the Education Evaluation Services for Architects.
- (6) "Employee, subordinate, associate, or drafter of an architect" as used in Subsections 58-3a-102(8), 58-3a-603(1)(b) and these rules means one or more individuals not licensed as an architect who are working for, with, or providing architectural services directly to the licensed architect under the supervision of the licensed architect.
- (7) "Intern Development Program" or "IDP" as used in Subsection R156-3a-302(2) means a NCARB approved training program.
- (8) "NAAB" means the National Architectural Accrediting Board.
- (9) "NCARB" means the National Council of Architectural Registration Boards.
- (10) "Program of diversified practical experience" as used in Subsection 58-3a-302(1)(e) means:
 - (a) current licensure in a recognized jurisdiction; or
 - (b) the training standards and requirements set forth in the Intern Development Program.
- (11) "Recognized jurisdiction" as used in Subsections 58-3a-302(2)(d)(i) and (iii), for licensure by endorsement, means any state, district, territory of the United States, or any foreign country who issues licenses for architects, and whose licensure requirements include:
 - (a) a bachelors or post graduate degree in architecture or equivalent education as set forth in Subsection R156-3a-301(2);
 - (b) a program of diversified practical experience as set forth in Subsection R156-3a-102(10), or an equivalent training program; and
 - (c) passing the ARE or passing a professional architecture examination that is equivalent to the ARE.
- (12) "Responsible charge" as used in Subsections 58-3a-102(7), 58-3a-302(2)(d)(iv) and 58-3a-304(6) means direct control and management by a principal over the practice of architecture by an organization.

(13) "Under the direction of the architect" as used in Subsection 58-3a-102(8), as part of the definition of "supervision of an employee, subordinate, associate, or drafter of an architect" means that the unlicensed employee, subordinate, associate, or drafter of the architect engages in the practice of architecture only on work initiated by the architect, and only under the administration, charge, control, command, authority, oversight, guidance, jurisdiction, regulation, management, and authorization of the architect.

(14) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 3a, is further defined, in accordance with Subsection 58-1-203(5), in Section R156-3a-501.

R156-3a-103. Authority - Purpose.

These rules are adopted by the division under the authority of Subsection 58-1-106(1) to enable the division to administer Title 58, Chapter 3a.

R156-3a-104. Organization - Relationship to Rule R156-1.

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

R156-3a-201. Advisory Peer Committee Created - Membership - Duties.

(1) There is created in accordance with Subsection 58-1-203(1)(f), the IDP Committee as an advisory peer committee to the Architect Licensing Board consisting of five members as follows:

- (a) one State IDP Coordinator;
- (b) one Education Coordinator;
- (c) two Intern IDP Coordinators; and
- (d) one member of the Utah Architects Licensing Board.

(2) The committee shall be appointed and serve in accordance with Section R156-1-205.

(3) The duties and responsibilities of the committee shall include assisting the board in its duties, functions, and responsibilities defined in Subsection 58-1-202(1)(e) as follows:

- (a) promote an awareness of IDP by holding meetings and seminars on IDP;
- (b) establish a network of sponsors and advisors for IDP interns;
- (c) encourage firms to support IDP;
- (d) act as a resource to respond to questions on IDP received from advisors, sponsors, and interns; and
- (e) report to the board as directed.

R156-3a-301. Qualifications for Licensure - Architecture Program Criteria.

In accordance with Subsection 58-3a-302(1)(d), the architecture program criteria are established as follows.

(1) The architecture program shall be accredited by either the National Architectural Accrediting Board (NAAB), or the Canadian Architectural Certification Board (CACB), or an architectural program equivalent to a NAAB accredited program.

(2) Equivalency shall be documented by submitting one of the following:

(a) if educated in a foreign country, a comprehensive report prepared by EESA stating that the applicant has successfully completed an educational program that is equivalent to the NAAB accredited educational program; or

(b) a current NCARB Council Record.

R156-3a-302. Qualifications for Licensure - Program of Diversified Practical Experience.

In accordance with Subsection 58-3a-302(1)(e), an applicant shall establish completion of a program of diversified practical experience requirement by submitting documentation of:

- (1) IDP;
- (2) current licensure in a recognized jurisdiction; or

- (3) a current NCARB Council Record.

R156-3a-303. Qualifications for Licensure - Examination Requirements.

(1) In accordance with Subsection 58-3a-302(1)(f), an applicant for licensure as an architect shall either submit documentation of a current NCARB Council Record or pass the following examinations:

(a) as part of the application for licensure, pass all questions on the open book, take home Utah Law and Rule Examination; and

(b) all divisions of the ARE as defined in Subsection R156-3a-102(4) with a passing score as established by NCARB.

(2) In accordance with Subsection 58-3a-302(2)(e), an applicant for licensure by endorsement shall either submit documentation of a current NCARB Council Record or pass the following examinations:

(a) as part of the application for licensure, pass all questions on the open book, take home Utah Law and Rule Examination; and

(b) all divisions of the ARE as defined in Subsection R156-3a-102(4) with a passing score as established by NCARB.

R156-3a-305. Renewal Cycle - Procedures.

(1) In accordance with Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to licenses under Title 58, Chapter 3a is established by rule in Section R156-1-308.

(2) Renewal procedures shall be in accordance with Section R156-1-308.

R156-3a-501. Unprofessional Conduct.

"Unprofessional conduct" includes:

(1) submitting an incomplete final plan, specification, report, or set of construction plans to:

(a) a client, when the licensee represents, or could reasonably expect the client to consider, the plan, specification, report, or set of construction plans to be complete and final; or

(b) a building official for the purpose of obtaining a building permit;

(2) failing as a principal to exercise reasonable charge;

(3) failing as a supervisor to exercise supervision of an employee, subordinate, associate or drafter; or

(4) failing to conform to the generally accepted and recognized standards and ethics of the profession including those established in the August 2002 edition of the NCARB "Rules of Conduct", which is hereby incorporated by reference.

R156-3a-601. Architectural Seal - Requirements.

In accordance with Section 58-3a-601, all final plans and specifications of buildings erected in this state, prepared by the licensee or prepared under the supervision of the licensee, shall be sealed in accordance with the following:

(1) Each seal shall be a circular seal, 1-1/2 inches minimum diameter.

(2) Each seal shall include the licensee's name, license number, "State of Utah", and "Licensed Architect".

(3) Each seal shall be signed and dated with the signature and date appearing across the face of each seal imprint.

(4) Each original set of final plans and specifications, as a minimum, shall have the original seal imprint, original signature and date placed on the cover or title sheet.

(5) A seal may be a wet stamp, embossed, or electronically produced.

(6) Copies of the original set of plans and specifications which contain the original seal, original signature and date is permitted, if the seal, signature and date is clearly recognizable.

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58-3a-101

58-1-106(1)(a)

58-1-202(1)(a)

**ARCHITECT LICENSING
ACT RULES**

**R156-3a
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